

Draft Meeting Minutes
Board of Addiction & Prevention Professionals
Park Place Center, 3101 W. 41st Street, Sioux Falls, SD 57105
May 2, 2019
10:30 AM to 3:00 PM (CST)
Call In Number: 866-410-8397 & Access Code: 730-588-5906

In attendance: Nicole Bowen, Terri Brown, Ellen Feiner, Stacy Gorman, Amy Hartman, Diane Sevensing, and Jill Viedt.
Kara Graveman participated via conference call.

Not in attendance: Don McCoy.

Others in attendance: Jeff Bratkiewicz and Tina Nelson.

Marilyn Kinsman from DSS participated via conference call.

The BAPP's purpose is to protect the public through the development and establishment of generally accepted standards of professionalism and competence to be used in the recognition, certification, and licensure of addiction and prevention professionals in South Dakota.

I. At 10:38 a.m. Hartman called the meeting to order.

II. Hartman called the roll. A quorum was present.

III. Sevensing made a motion to approve the May 2, 2019 meeting agenda, with the addition of election of officers and committee member nominations. Feiner seconded the motion. Motion passed.

IV. Sevensing made a motion to approve the February 7, 2019 Board of Directors meeting minutes. Feiner seconded the motion. Motion passed.

V. Graveman made a motion to approve the financial report. Bowen seconded the motion. Motion passed.

VI. At 10:47 a.m. Hartman called for Public Input. Hearing none, she proceeded with the agenda.

Conference call with Marilyn Kinsman and Kara Graveman ended.

VII. 10:49 a.m. Hartman moved the meeting into Executive Session pursuant to SDCL 1-25-2(3) to review and discuss confidential and privileged legal matters with the BAPP's General Counsel, Jeff Bratkiewicz. The matters to be reviewed and discussed include, but not limited to, pending ethical complaints and investigations, regulatory and sensitive internal matters, potential litigation, and legal training and information provided by the State of South Dakota concerning state professional licensing boards.

Graveman joined Executive Session via secured telephone line (non-conference).

At 11:43 a.m. Hartman moved the meeting out of Executive Session and telephone call with Graveman ended.

The Board took a lunch break from 11:45 a.m. to 1:00 p.m.

VIII. 1:08 p.m. Hartman moved the meeting into Executive Session pursuant to SDCL 1-25-2(3).

Hartman moved the meeting out of Executive Session at 1:44 p.m. and telephone call with Graveman ended.

General Session resumed. Graveman, Iversen-Pollreisz and Kinsman joined the meeting via conference call.

IX. 2017-3 Sevensing made a motion to continue with monitoring. Gorman seconded the motion, Brown abstained. Motion passed.

X. 2018-4 Brown made a motion for the Board to adopt and enter an Order of Revocation, consistent with the terms of the Stipulation. Nelson will report this information to the NPDB, BAPP website and notify IC&RC. Nelson will send a letter to the complainant, reflecting that on May 2, 2019, the Board entered an Order of Revocation. This matter is considered closed. Viedt seconded the motion. Motion passed.

XI. 2018-5 Consistent with the Stipulation, Viedt made a motion to enter a formal Order of Reprimand. Nelson will report this information to the NPDB, BAPP website and notify IC&RC. The practitioner is required to reimburse the BAPP for administrative costs and expenses, including attorney's fees incurred in the investigation and resolution of this matter, in the amount of \$500.00. Feiner seconded the motion. Motion passed.

XII. 2018- 6 Feiner made a motion authorizing Bratkiewicz to issue a Letter of Concern. This matter is considered closed. However, the information will be kept on file and could provide grounds for future action if additional complaints are received. Brown seconded the motion. Motion passed.

XIII. 2018-7 Consistent with the Stipulation signed and dated by the practitioner, Gorman made a motion to adopt and enter an Order of Reprimand. The practitioner shall reimburse the BAPP \$500.00 for administrative costs and expenses, including attorney's fees, incurred in the investigation and resolution of this matter. Nelson will report this information to the NPDB, BAPP website and notify IC&RC. Feiner seconded the motion. Motion passed.

XIV. 2019-1 Consistent with the Stipulation signed and dated by the practitioner, Sevensing made a motion to adopt and enter an Order of Reprimand. Nelson will report this information to the NPDB, BAPP website and notify IC&RC. The practitioner shall reimburse the BAPP \$250.00 for administrative costs and expenses, including attorney's fees, incurred in the investigation and resolution of this matter. Nelson will send a letter to the complainant, reflecting that on May 2, 2019, the Board entered an Order of Reprimand. Viedt seconded the motion. Graveman abstained. Motion passed.

XV. 2019-2 Gorman made a motion authorizing Bratkiewicz to serve notice of a hearing for August 1, 2019. Or alternatively, provide an opportunity for the individual to voluntarily relinquish ACT status through a Stipulation, without an opportunity to re-apply for status. Feiner seconded the motion. Motion passed.

XVI. 2019-3 Graveman made a motion authorizing Bratkiewicz to send a letter asking she/he provide additional information regarding the matter, to include an explanation and clarification. Sevensing seconded the motion. Motion passed.

XVII. 2019-4 Sevensing made a motion authorizing Bratkiewicz to issue a Stipulation, which will result in an Order of Reprimand. The individual shall complete a minimum of ten hours of additional education or training approved by the BAPP's Administrative Office, in the areas of ethics and professionalism. This education or training is in addition to the generally applicable requirements. The individual is also required to reimburse the BAPP for administrative costs and expenses, including attorney's fees, incurred in the investigation and resolution of this matter in the amount of \$500.00. Gorman seconded the motion. Motion passed.

XVIII. 2019-5 The individual has until May 17, 2019 to respond to the complaint. Feiner made a motion authorizing Bratkiewicz to send a follow-up letter if a response is not received. Graveman seconded the motion. Motion passed.

XIX. If the request is not withdrawn, Gorman made a motion authorizing Bratkiewicz to issue V. Hare a Notice to Show Cause, with a proposed Order. The Order would be entered and signed at the August 1 Board meeting. Viedt seconded the motion. Motion passed.

XX. Graveman made a motion authorizing Bratkiewicz to send a letter to E.S. stating her/his Upgrade Application cannot be processed, until verification is received, confirming she/he was under supervision of a qualified clinical supervisor, while completing the required work experience. The Board is requesting documentation identifying the Clinical Supervisor, and an explanation of what methods were used to provide the supervision (ex. face-to-face, email, internet, etc.). Also, documentation is required identifying what percent of the supervision hours were completed via email, internet, video-conferencing, audio-conferencing, or teleconferencing. Sevensing seconded the motion. Motion passed.

XXI. G.P. applied for Addiction Counselor Trainee Status. On the Statement of Felony Charges form, he/she disclosed felony charges had been filed against him/her. Both Bratkiewicz and the BAPP requested information regarding his/her criminal record. The individual did not disclose any of the facts related to the charge and / or what charge(s) were involved. Therefore, the application was not processed. Feiner made a motion in favor of no action being taken, and the matter be considered closed. However, the information will be kept on file, should he/she apply for status in the future. Brown seconded the motion. Motion passed.

XXII. On 3-28-19, the BAPP received a LinkedIn invitation from K.J., reflecting LAC status, which lapsed on 12-31-18. The BAPP sent a letter requesting he/she refrain from engaging in any professional activities or services involving or requiring a LAC credential. The letter reflected that he/she cannot publicly represent or hold him / herself out as being actively licensed. The BAPP received an email from K.J. on 4-6-19, confirming that all references to LAC status would be removed from personal or business websites, social media sites, etc. Gorman made a motion to consider this matter closed. Sevensing seconded the motion. Motion passed.

XXIII. Sevensing made a motion approving renewal of the Letter of Engagement with Jeff Bratkiewicz, Bangs McCullen Law Firm, at the same hourly rate, not to exceed the same annual amount specified. Graveman seconded the motion. Motion passed.

XXIV. The Board reviewed the Sworn Verification, signed by J.N. Sevensing made a motion to accept this documentation as meeting the requirements, to qualify her/him as a private independent addiction counselor. Feiner seconded the motion. Motion passed.

XXV. Nelson stated the BAPP received twenty-four resumes for the Administrative Assistant Position. The Executive Committee (E.C.) expressed interest in reviewing the resumes and assisting with the interview process. Nelson will send the resumes and share the interview schedule with the E.C.

XXVI. State emails are sent to all state government employees, regarding information pertaining to benefits, holidays, etc. In October 2018, a state email account was set up and paid for by the BAPP. When the administrative office did not receive the office closure notification (March 11), and notice that administrative leave was granted for April 19 & 20, Nelson realized the BAPP was not receiving all the state emails. Kinsman and Iversen-Pollreisz stated the matter has been resolved.

XXVII. Sevensing made a motion to approve the optional Supervised Training Hours worksheets, to be posted on the BAPP's website. Feiner seconded the motion. Motion passed.

XXVIII. The BAPP is receiving mail that does not have a postmark date. Current policy allows application and renewal materials to be received after the deadline, if the envelope is postmarked by the deadline. Bratkiewicz discussed presumption of receipt. Sevensing made a motion that the reinstatement fee not be assessed, if information is received in an envelope without a postmark, after the deadline, if the check is dated prior to the deadline. Viedt seconded the motion. Motion passed.

XXIX. HB 1028 and 1250 did not pass.

XXX. HB 1111 passed and becomes effective July 1, 2019. It is the Board's consensus that anyone meeting the provisions of the Bill, and whose application is deemed complete, shall be issued a LAC credential, in South Dakota, if the applicant holds a valid license, in good standing, in another state. An applicant shall be issued a CAC credential, if the individual holds a valid certification, in good standing, in another state, and meets all provisions of the Bill.

XXXI. Gorman volunteered to participate on the Portfolio Review and Ethics Committee.

XXXII. Sevensing made a motion to elect Hartman as President, Viedt as Vice-President, and Bowen as Secretary / Treasurer. Feiner seconded the motion. Motion passed.

XXXIII. Sevensing's third term expires October 30, 2019. The Nominating Committee will begin seeking nominations. Nelson will email the nomination packet to the committee.

XXXIV. The Portfolio Review Committee meeting is scheduled for July 12, 2019.

XXXV. Upcoming Board of Directors meetings: August 1, 2019, and November 7, 2019.

XXXVI. Viedt made a motion to adjourn the meeting at 3:00 p.m. Sevensing seconded the motion. Motion passed.